



Agenda Item Number: _____

BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS

Meeting Date: June 22, 2010

Department: Zoning, Building and Planning **Staff Contact:** Enrico Gradi, Program Planner

TITLE: CONSENT: Cancellation of a Special Use Permit Specific Use for a Bakery, Storage, and Single Family Dwelling (CZ-83-28)

COUNTY PLANNING COMMISSION RECOMMENDATION:

Cancellation

SUMMARY:

At the April 7, 2010 public hearing, the County Planning Commission voted (6-0; Commissioner Sanchez excused) to recommend cancellation of Special Use Permit for Specific Use for a Bakery, Storage, and Single Family Dwelling on Lot 1, 2 & 14, Block 4, Edmundo C De Baca Addition, located at 1924 De Baca South Circle SW and 1926 Isleta Boulevard SW, zoned R-1 & C-1, and containing approximately .26 acres. The decision was based on the following four (4) Findings.

Findings:

1. This is a request for the cancellation of a Special Use Permit for Specific Use for a Bakery, Storage, and Single Family Dwelling on Lot 1, 2 & 14, Block 4, Edmundo C De Baca Addition, located at 1924 De Baca South Circle SW and 1926 Isleta Boulevard SW, zoned R-1 & C-1, and containing approximately .26 acres.
2. This matter is a result of continued violations of the Special Use Permit (CZ-83-28) and the corresponding site development plan approved for the permit. Specifically, the portion of this site that was authorized for a bakery is now being used as a restaurant.
3. The Bernalillo County Planning Department notified the property owner of noncompliance with the provisions of the Special Use Permit on December 3, 2009, as described in Section 18.H. of the Comprehensive Zoning Ordinance of Bernalillo County. The property owner failed to respond to each letter.
4. This decision removes the Special Use Permit (CZ-83-28) from the property, and reverts the zoning on the site back to the underlying zoning designation of C-1 Community Commercial, which allows a restaurant, and R-1 Single-Family Residential.

ATTACHMENTS:

1. County Planning Commission Notice of Decision Letter (April 12, 2010).
2. County Planning Commission Information Packet.

STAFF ANALYSIS SUMMARY

ZONING, BUILDING & PLANNING DEPARTMENT:

Staff Recommends Cancellation